

**REGULAR MEETING
of the
CITY OF RIALTO
CITY COUNCIL/REDEVELOPMENT AGENCY**

**MINUTES
May 10, 2011**

A regular meeting of the City Council/Redevelopment Agency of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday May 10, 2011.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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CALL TO ORDER

Council Member Joe Baca Jr. called the meeting to order at 5:02 p.m.

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The roll was called and the following were present: Council Members Joe Baca Jr., Deborah Robertson, and Ed Palmer. Also present were Interim City Administrator Mark Kling, City Attorney Jimmy Gutierrez and City Clerk Barbara McGee. Mayor Grace Vargas and Mayor Pro Tem Ed Scott were absent.

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CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation. The City Council and Redevelopment Agency Board will discuss the following pending litigation pursuant to Government Code Section 54956.9(a):

(a) City of Colton v. American Promotional Events, Inc., et al.
United States District Court Case No. EDCV 09-01864 PSG (SSx)

(b) City of Riverside v. City of Rialto, et. al.
San Bernardino County Superior Court Case No. CIVDS 1100716

CLOSED SESSION

2. Conference with Legal Counsel – Existing Indemnity. Authority to enter into a Workers' Compensation Stipulation Agreement pursuant to Government Code Section 54956.9(a):

- a) Derrick Hamada v. City of Rialto
(Claim No. 970884RIA)

3. Conference with Legal Counsel – Existing Litigation. Authority to enter into a Workers' Compensation Stipulation Agreement pursuant to Government Code Section 54956.9(a):

- a) Steven Daniels v. City of Rialto
(Claim No. 20050025RIA)

4. Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.6:

Agency negotiator: Brad Neufeld, GSNT

Employee organization: Rialto Police Benefit Association
Police Management Bargaining Unit
Mid-Management Bargaining Unit
General Bargaining Unit
CGMA Bargaining Unit
Fire Management Bargaining Unit
Firefighters Union Local 3688
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Motion by Council Member Palmer, second by Council Member Robertson and carried by a 3-0 vote to go into Closed Session at 5:05 p.m.

City Council returned at 5:52 p.m.

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CALL TO ORDER

Council Member Baca Jr. called the meeting to order at 6:05 p.m.

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The roll was called and the following were present: Council Members Joe Baca Jr., Deborah Robertson, and Ed Palmer. Also present were Interim City Administrator Mark Kling, City Attorney Jimmy Gutierrez and City Clerk Barbara McGee. Mayor Grace Vargas and Mayor Pro Tem Ed Scott were absent.

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Pledge of Allegiance and Invocation

Council Member Ed Palmer led the pledge of allegiance and Bishop Craig W. Johnson – Cathedral of Praise gave the Invocation.

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City Attorney's Report

City Attorney Gutierrez stated that in Closed Session the City Council discussed the first item a Conference with legal counsel on existing litigation, City of Colton v. American Promotional Events, given a status report on the mediation to settle some of the perchlorate issues that took place last Friday but no action was taken. The second item was the case, the City of Riverside v. the City of Rialto, pertaining to their challenge to the Environmental Impact Report that supported the City's General Plan Amendment. There was discussion with respect to the settlement proposal but no action was taken. The second item was conference with legal counsel to discuss a workers compensation case – Derrick Hamada v. City of Rialto. City Council voted unanimously 3-0 to approve a settlement Mr. Hamada. The next item was also conference with legal counsel to discuss a workers compensation case – Steven Daniels v. City of Rialto. The City Council voted 3-0 to approve a settlement. The last item was conference with the City's labor negotiator to discuss the status of various negotiations with the following bargaining units: Rialto Police Benefit Association, Police Management Bargaining Unit, Mid-Management Bargaining Unit, General Bargaining Unit, CGMA Bargaining Unit, Fire Management Bargaining Unit, Firefighters Union Local 3688. Mr. Neufled the City's negotiator advised the City Council that it has a number of tentative agreements and side letter agreements with all the bargaining units and City Council voted 3-0 to approve those.

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PRESENTATIONS AND PROCLAMATIONS

Council Member Baca Jr. presented a Proclamation in recognition of National Public Works Week to Ahmad Ansari, Director of Public Works/City Engineer.

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Council Member Baca Jr. presented a Proclamation in recognition of National Foster Care Awareness Month to Lea Cash, The Brightest Star.

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Virgil Van Heerde, American Legion Post 422 announced the 9th Annual Memorial Day Tribute to be held on May 30, 2011.

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Kiwanis One Day Event "Water Safety Program" April 23, 2011 – Pauline Tidler, President of East Rialto Club & Council Member Deborah Robertson

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PRESENTATIONS AND PROCLAMATIONS

Katie Nickel, Public Works Department, gave a PowerPoint Presentation on the Earth Day 2011 activities held on May 7, 2011.

Rafael Trujillo, presented certificates in recognition of their hard work for Earth Day.

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CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

1. Waive reading in full, all ordinances considered at this meeting.

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B. APPROVAL OF WARRANT RESOLUTIONS

1. Resolution No. 39 (4/15/11)
2. Resolution No. 40 (4/22/11)

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C. APPROVAL OF MINUTES

1. Regular RDA/City Council Meeting – April 26, 2011

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D. MISCELLANEOUS

1. Request City Council to approve cancellation of the May 24, 2011 Regular RDA/City Council Meeting.
2. Request City Council to approve an increase to Purchase Order 2011-2246 with Select Staffing to provide Public Works Water Division Support Services in an amount of \$28,080.
3. Request City Council to approve a Second Amendment to the Professional Services Agreement with Albert Grover & Associates for Traffic Engineering Services in the amount of \$35,000.
4. Request City Council to approve an application for Beverage Container Program funding from Cal Recycle for fiscal year 2011/2012 funding cycle.
5. Request City Council to adopt **Resolution No. 5972** accepting Funds from the Downtown Rialto Business Improvement District Association (BIDA) for the Rialto Centennial Celebration, Rialto Walk of Fame project.
6. Request City Council to adopt **Resolution No. 5973** approve a renewal of the Master Agreement with California State Department of Transportation for State Transit Projects.
7. Request City Council to adopt **Resolution No. 5974** in Support of State Senate Bill 286 to Reform Redevelopment Agencies in California.

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CONSENT CALENDAR

Council Member Baca Jr. stated that Consent Calendar Item D-5 will be removed from the Agenda due to a lack of quorum.

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Motion by Council Member Robertson, second by Council Member Palmer and carried by a 3-0 vote to approve the Consent Calendar with the exception of Item D-5.

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PUBLIC HEARING

TAB 1 – Annexation of Tract 17220 to Landscape and Lighting Maintenance District No. 2

Mike Story, Director of Development Services stated that on March 22nd City Council passed Resolution No. 5960 which set May 10, 2011 as the public hearing date for conducting property owner balloting for the annexation of Tract 17220 into the Landscape and Lighting Maintenance District No. 2. The property owners of Tract 17220 were notified by mail of the balloting and noticing of the public hearing was published. In January 2005 City Council authorized the formation of Landscape and Lighting Maintenance District No. 2 (LMD2) as a means to ensure that new developments had an effective mechanism for funding the ongoing operation and maintenance of the local landscaping and lighting improvements associated with those developments. For fiscal year 2011/2012 the city is proposing to annex the residential development that is identified as GFR Enterprises or Tract 17220, a 26 lot single-family development located on the corner of Pepper and Etiwanda. Tract 17220 was approved by the City Council in November 2009. As a condition of the development the Developer had signed a petition and waiver document agreeing to annex to Landscape and Lighting Maintenance District No. 2 to fund the ongoing maintenance and operation of the landscaping and lighting improvements that are associated with that tract. The completion of this process require the developer to also complete and return a ballot of the proposed assessment that was mailed to the property owners. The developer is required to install and maintain the improvements for one full year prior to acceptance by the City and the successful annexation of this development to LMD2 will ensure there is a funding source to provide the necessary ongoing maintenance of those improvements.

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Council Member Baca Jr. declared the Public Hearing open. No one came forward.

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Motion by Council Member Palmer, second by Council Member Robertson and carried by a 3-0 vote to close the public hearing. Mayor Vargas and Mayor Pro Tem Scott were absent.

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Council Member Baca Jr. stated that the results will be announced at the end of the Agenda.

NEW BUSINESS

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TAB 2 – Auditor Findings and Recommendations of ARR and DPA programs

This item was removed from the Agenda until the next City Council Meeting.

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TAB 3 – PSA for Engineering Design Services for Trickleside Alley Improvements

This item was removed from the Agenda until the next City Council Meeting.

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TAB 4 – Construction Contract to All American Asphalt for the 2010-2011 Street Overlay Project

Ahmad Ansari, Director of Public Works/City Engineer stated that each year Public Works implements asphalt overlay of selected streets as preventative maintenance program. Streets were selected based on the pavement management system or as a result of visual inspection or concerns received by the public. This year they will be using approximately 8,630 ton of rubberized asphalt which translates into 3 miles of roadway city wide. The lowest bidder was All American Asphalt Company. The contractor has done similar work. For many cities and agencies including County, Caltrans and the City of Rialto, recently on Foothill Blvd. in addition to these streets they are also including the paving of the Police Dept. parking lot which is long overdue and also catching up with permanent repairs citywide. A construction time of 120 calendar days is specified and if awarded tonight, work will begin next month and complete by November. Funding for this project is budgeted. There is a budget shortfall of \$444,428 and staff recommends offsetting it from Measure I funds for \$244,428 and the Water Fund account for \$200,000.

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Council Member Robertson stated that when she looks at the various bids she finds it interesting that someone in Corona is bidding lower than a company in Rialto. She will continue to express her concerns, she has noticed that they wrote the staff report identifying some of the people but that they have done business in the past. She is concerned with the significant underbidding. She would also like to know in addition to base bid items on the RFB, they included three extra projects in alternative bid items. All of them had knowledge of that?

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Ahmad Ansari, Director of Public Works/City Engineer stated yes.

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Council Member Robertson asked if they had a chance to look at the whole process of how bids are handled.

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NEW BUSINESS

TAB 4 – Construction Contract to All American Asphalt for the 2010-2011 Street Overlay Project

Interim City Administrator/Police Chief Mark Kling stated that they are doing a complete review of the purchasing policies including bringing it back to City Council for approval and at that time it should be a completely different outcome where the bids are submitted to the City Clerk. The bids would be stamped in and opened with the bidding department present.

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Council Member Baca Jr. asked for this type of bid is it required to give to the lowest responsive bidder?

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Ahmad Ansari, Director of Public Works/City Engineer stated that yes for this particular one yes because there is reconstruction involved and its more than maintenance. He will address some of the questions from last meeting, TAB 7, with regard to the slurry seal project.

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Council Member Robertson asked is it because its Federal dollars?

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Ahmad Ansari, Director of Public Works/City Engineer stated no, it's not because of the funding but because of the complexity of the job. It's more than just maintenance.

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Council Member Baca Jr. stated that he had a discussion with the labor union this past week and a lot of times they said the biggest issue with the discrepancy in the bids is generally labor and materials is across the board. Some of the groups don't enforce the prevailing wage.

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Motion by Council Member Palmer, second by Council Member Robertson and carried by a 3-0 vote to award a Construction Contract to All American Asphalt for the 2010-2011 Street Overlay Project in the amount of \$2,060,562 and adopt budget **Resolution No. 5977**. Mayor Vargas and Mayor Pro Tem Scott were absent.

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TAB 5 – Cooperative Agreement with SANBAG for I-10/Riverside Ave Interchange Landscaping Project

Ahmad Ansari, Director of Public Works/City Engineer stated that the Riverside Ave./I-10 Freeway Project has been under construction and just recently the bridge closure just happened and demolition took place and all is on schedule. Now is the time to complete the landscape component of the interchange and get it ready for implementation which is a separate project from the bridge. This item incorporates a cooperative agreement with SANBAG where each agency responsibilities are defined and agreed upon.

NEW BUSINESS

TAB 5 – Cooperative Agreement with SANBAG for I-10/Riverside Ave Interchange Landscaping Project

Ahmad Ansari, Director of Public Works/City Engineer stated The cooperative agreement includes a one year plant establishment once the landscape work is done and covered under the construction contract and four-year landscape maintenance as the city's responsibility. After the four years, Caltrans will assume the responsibility the total cost for the cooperative agreement including the design, construction, and maintenance for those four years is \$1,927,000. The agreement will terminate upon completion of the landscape and deliver the notices of completion to each agency or December 29, 2017 whichever comes earlier. Landscape will be irrigated using the city's recycled water coming from the city's wastewater treatment plant. In terms of the budget, there are two increases. One \$75,000 reflecting Colton's fair share and also \$525,000 reflecting the County's fair share. There is also a reduction in the estimate of revenues in the amount of \$4,258,000 from the TCIF due to SANBAG's transfer these funds to another project after the favorable bid came for this particular project. Originally it was \$5 million but with the help of Mayor Pro Tem Scott they negotiated it down to \$4,258,000. In terms of the uses, the original budget for the landscaping was \$1 million but the current estimate under this agreement is \$927,000 more. Plus an increase of expenditures in the amount of \$440,000 for the design, right-of-way, utility relocation and the 7th Amendment to the design of the landscape work. All increased expenditures will be covered under the RDA 2005 Series A or 2008 Series A bond funds. Staff recommends a budget resolution decreasing the revenues in the amount of \$4,258,000 to reduce the TCIF funding that was originally set aside for this project.

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Motion by Council Member Robertson, second by Council Member Palmer and carried by a 3-0 vote to approve a Cooperative Agreement with San Bernardino Associated Governments for the I-10/Riverside Avenue Interchange Landscaping Project in the amount of \$1,927,000 and adopt budget **RDA Resolution No. 734**. Mayor Vargas and Mayor Pro Tem Scott were absent.

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TAB 6 – 7th Amendment to PSA with Lim & Nascimento Engineering/AECOM for Landscape Design of Riverside Avenue/I-10 Interchange Project

Ahmad Ansari, Director of Public Works/City Engineer stated this is the seventh amend for the design by the consultant Lim & Nascimento Engineering was bought by AECOM. The City first awarded the design Professional Services Agreement with LAN back in April 2001 in the amount of \$675,809. At that time the overall was substantially underfunded and subsequent amendments for various designs tasks were anticipated to follow as additional funding would become available for this project. Six amendments followed bringing the total PSA to \$2,118,140 as tabulated in the staff report. All of those components completed the bridge portion. There is no further amendment with respect to what is under construction right now.

NEW BUSINESS

TAB 6 – 7th Amendment to PSA with Lim & Nascimento Engineering/AECOM for Landscape Design of Riverside Avenue/I-10 Interchange Project

Ahmad Ansari, Director of Public Works/City Engineer stated as mentioned in the previous TAB as project construction makes progress, the next phase which is the landscape needs to be implemented. Jointly with SANBAG, staff recently requested an updated proposal from LAN/AECOM for the design of the landscape. The total fee for this design service is \$75,430. His understanding is that previously this company started working on the landscape plan, however there are quite a bit of updates and bringing up to the Caltrans standards and preparation of the final construction drawings which this fee is solicited for. With the \$75,430 if approved will bring the total PSA to \$2,193,570 for the total project. On March 8th City Council received a presentation on the landscape conceptual plan and approved the proposed design. Sufficient funds are available through the RDA 2008 Series A bond.

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Council Member Robertson stated that normally she would not want to be in favor of automatically extending amendments but she recognizes they have most of the geometrics and most of the design.

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Motion by Council Member Robertson, second by Council Member Palmer and carried by a 3-0 vote to approve a Seventh Amendment to the Professional Services Agreement to Lim & Nascimento Engineering Corporation/AECOM in the amount of \$75,430 for the Landscape Design of Riverside Avenue/I-10 Interchange Project, Project No. 000710. Mayor Vargas and Mayor Pro Tem Scott were absent.

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TAB 7 – Construction Contract with Valley Slurry Seal Co. for the Citywide Slurry Seal Program

Ahmad Ansari, Director of Public Works/City Engineer stated this is related to the item that was presented to City Council last City Council Meeting. City Council expressed concern over the lowest responsive bid and Valley Slurry Seal Co. not being a local contractor. This company does regularly slurry seal projects throughout the State, recently for the cities of Apple Valley, Aliso Viejo, Rancho Palos Verde, and Caltrans District 7&8. As part of their standard practice, this company intends to use local labor by notifying the local unions and soliciting qualified local workers. They will also utilize local sub-contractors for paving and striping portion of the work in Rialto. The rock and aggregate material will be purchased locally from Corona. The emulsion will be shipped from Bakersfield. The bidding process for this project as the case of any other CIP project is advertising the notice of inviting bids through the San Bernardino County Sun newspaper, Rialto Website and Bid America, McGraw Hill and Construction Bid Board plan rooms. Bids were publically opened at Public Works at the presence of all bidders.

NEW BUSINESS

TAB 7 – Construction Contract with Valley Slurry Seal Co. for the Citywide Slurry Seal Program

Ahmad Ansari, Director of Public Works/City Engineer stated in the future a representative from the City Clerk's Office will be invited to the bid openings as well. Lastly, staff consulted with the City Attorney's Office and based on the information gathered presents the item to City Council with the following considerations. Neither the funding nor nature of this particular CIP project, being maintenance, requires the City Council to award to the lowest bidder. The standard CIP bid documents specifies that the award will be made to the lowest responsive bidder. Based on these considerations staff presents two recommendations options for City Council to consider tonight. 1) if the additional information regarding the bidding process, lowest bidder and their local references and utilization of local labor and materials is sufficient and satisfactory City Council may award the contract to the contractor Valley Slurry Seal Co. of West Sacramento. 2) if despite this information the award to the local contractor is still the desire of the City Council, they may reject all bids and direct staff to remove the requirement of awarding to the lowest responsive bid from the bid documents for a project of this nature and re-bid the project. Regardless of the option chosen by the City Council, staff is working on a citywide streamlining and centralizing purchasing and bidding policies and processes. This includes inviting the City Clerk's representative to future bid openings, deleting the low bid requirement for maintenance type CIPs and look into percent preferences for the local bidders.

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Oral Communications

Ronald Bolles, Vice President of Valley Slurry Seal Co., stated that they look forward to working with the City of Rialto. They are the largest slurry seal company in California and arguably the most qualified contractor. This bid reflects their experience, resources, and their investment and commitment to pavement preservation.

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Mike Wallen, Construction Division Manager of Valley Slurry Seal Co., it's his responsibility to ensure that the City is satisfied with the project when it's completed. Communication is the biggest facet for success in this business.

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Council Member Palmer stated that at the last meeting there were some concerns about how a company from West Sacramento can afford to come to Rialto for so much less than the other bidders. He believes he got the answer, and sometimes people create their own product in order to do jobs. Rialto is trying to be fiscally responsible with the money and if it's the lowest responsive bidder and based on what he has heard, he is satisfied.

NEW BUSINESS

TAB 7 – Construction Contract with Valley Slurry Seal Co. for the Citywide Slurry Seal Program

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Council Member Robertson stated that she understands they will purchase aggregate from Chandler in Corona but she knows they have aggregate pits in Rialto. Why would their material not be considered?

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Ronald Bolles, Vice President of Valley Slurry Seal Co., stated the slurry seal process requires a very specialized aggregate and unfortunately there are only a small number of pits in the entire State where they can purchase from. It has to do with durability indexes, gradations, and cleanliness values. In order to get the product to meet the specifications Rialto has submitted, they will need to buy from Chandler who is the closest source.

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Council Member Robertson asked about the daily subsistence rate.

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Mr. Bolles stated that by law they are required to pay subsistence when they are working out of the area. This is a specialized business and they will bring staff from West Sacramento.

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Council Member Robertson asked if they are a member of Western Pavement Management Association?

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Mr. Bolles stated yes they are.

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Council Member Baca Jr. asked which labor unions they reached out to for this project.

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Mr. Bolles stated that he doesn't know which ones. His staff has a list of the local labor unions and agencies.

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Council Member Baca Jr. stated that he wants to make sure they have a list of those local unions. How many employees are they bringing in and how many are they going to hire for this project.

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Mr. Bolles stated that they will bring in approximately 10 and he doesn't know how many they will actually hire.

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Council Member Robertson asked for the list of subcontractors.

NEW BUSINESS

TAB 7 – Construction Contract with Valley Slurry Seal Co. for the Citywide Slurry Seal Program

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Ahmad Ansari, Director of Public Works/City Engineer stated that they do have the list but he doesn't have it with him. He does know that in paving and striping they are using local contractors.

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Council Member Baca Jr. stated that he will object to this because he believes in being fiscally responsible but he still doesn't believe a lot of the work will be done locally. He wants to make sure they change the bidding process to give local preference so the money stays here within San Bernardino County.

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Motion by Council Member Robertson, second by Council Member Palmer and carried by a 2-1 vote to award a Construction Contract to Valley Slurry Seal Co. for the 2010-2011 Citywide Slurry Seal Program in the amount of \$514,387.06 or reject all bids and rebid this Project. Council Member Baca Jr. vote No. Mayor Vargas and Mayor Pro Tem Scott were absent.

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ORAL COMMUNICATIONS

Rafael Trujillo, Representative from Congressman Baca's Office invited everyone to the 2011 Education Summit at Cal State San Bernardino on Tuesday, May 17th.

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Demetrius Sims, 1840 N. Magnolia Ave., expressed his concern regarding a situation he had with Rialto Police Department.

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Police Chief Mark Kling asked Mr. Sims to speak to Captain Farrar and they will take this as a citizen complaint and turn it over to their internal affairs division.

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Jeane Ensley, 1136 W. Lewis St., expressed her concern regarding the perchlorate clean-up and proposed Well Lease to West Valley Water.

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Council Member Baca Jr. stated that they are trying to develop a partnership with WVWD in order to address some of those issues. Also, they are treating the water. Fontana Water Co. rates are double/triple to Rialto. There are some issues they are going to take on with Fontana Water Co. because they are taking water from Rialto. In regards to backup water he knows they are in negotiations to purchase water from San Bernardino Municipal Water District at a discounted rate.

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ORAL COMMUNICATIONS

City Attorney Gutierrez stated that they are not actually buying water from SBMWD directly. There is a joint program to provide water to the City of Rialto and West Valley Water that comes from the Bunker Hill area and drilled from wells that have been in existence for 20 years. The project is being revitalized by San Bernardino Municipal Water. As a short term process, a couple of years ago, excess water needs were purchased from the City of San Bernardino.

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Mike Rossiter, 1136 W. Lewis St., expressed his concern regarding the City bid process. Also, what is the minimum number of council members needed for a vote?

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Council Member Baca Jr. stated that a quorum here is a minimum of three.

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June Hayes, P.O. Box 2395, added some key points regarding the perchlorate clean-up process.

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PUBLIC HEARING

**TAB 1 – Annexation of Tract 17220
to Landscape and Lighting
Maintenance District No. 2**

Mike Story, Director of Development Services stated that the City Clerk has opened the ballots received. Of the 26 residential lots they received 15 ballots and all voted yes in favor of establishing Tract 17220 into Landscape Maintenance District No. 2.

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Motion by Council Member Palmer, second by Council Member Robertson and carried by a 3-0 vote to adopt **Resolution No. 5975** declaring the results of the property protest balloting. Depending on the results of the balloting, adopt **Resolution No. 5976** annexing the new maintenance areas in Zone I of the Landscape and Lighting Maintenance District No. 2, confirm approval of the Engineer's Report, and authorize the levy and collection of the annual assessment of the District for Fiscal Year 2010/2012. Mayor Vargas and Mayor Pro Tem Scott were absent.

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REPORTS

Council Member Palmer stated that in regards to obtaining the property at the Old Rialto Middle School, the meeting with the Superintendent and two board members went very well.

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City Attorney Gutierrez stated for clarification, Dr. Cebrun stated that there was absolutely no intention on the part of the District to convey any of the property where the buildings are located because bond funds had been raised to do various repairs. If this proposal works, the school district will retain the buildings and improve them according to the bonds. They are only considering transferring those areas that are currently vacant that would be used for ball fields and facilities.

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Council Member Palmer stated that would be everything from the parking lot on the south side down, and then on the north side from the basketball courts up to the alleyway.

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Council Member Robertson stated that she is happy to hear they had a productive positive meeting and will wait to see what the contract agreement is. She recalls that there were some efforts in making improvements to structures, so hopefully those will be removed if that is not a part of the arrangements.

She stated that last night the Police Dept. gave a presentation to the Human Relations Commission giving an update on how citizen complaints and internal complaints are handled. There is a definite constructive process in place with an understanding that all complaints are addressed and resolved within a year. She asked that they bring the number of complaints throughout the year and how they were resolved. They asked about ongoing customer service training every year within the normal training process in the City.

She attended the Transportation Commission and they had discussion to look at strategically on how to begin to address transportation needs south of the 10 freeway recognizing that the Riverside Ave. bridge is out. Citizens have asked why they are not doing major road improvements in the south end. The majority of the land is in the unincorporated area and falls under the County of San Bernardino 5th District. A lot of the road improvements that should have been underway have for various reasons been delayed or deferred. Some of the projects they need for example; an overcrossing towards the west of Cedar Ave. and somewhere near Alder or Spruce area. The challenge is crossing south of the 10 freeway and crossing the railroad area.

REPORTS

Council Member Robertson stated they also need to make the improvements to the bridge structure that approaches Riverside Ave. interchange. That section is not currently under construction but that is a project they have in the CIP to get appropriate funding.

She attended the SCAG Regional Council General Assembly in La Quinta last week. Rialto received an award for the Neighborhood Stabilization Program. They also received word last week they will receive an award for their General Plan Update from the American Planning Association. This is a significant accomplishment to the city and staff.

She thanked Director of Public Works for their efforts for Earth Day and also the Community Garden event.

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Council Member Baca Jr. thanked the residents for voting for the Landscape Maintenance District 2. This is important because it will help maintain the landscaping and the lighting in the area of that development.

He congratulated Public Works for their Earth Day Project, they did a great job. He thanked all the volunteers.

The Fire Explorers are having an event at Cuca's so all the proceeds will go towards the Rialto Fire Explorers.

On May 21st Rialto will have Opening Ceremonies for the Basketball League.

He had the opportunity to present scholarships at the Eisenhower High School Scholarship Presentation for seniors. The Joe Baca Foundation, which he is a part of and his family gave out 43 scholarships for \$1000 each at San Bernardino Valley College. 15 of those scholarships were Rialto residents.

He wished mothers a Happy Mother's Day. Some cultures celebrate it on May 10th.

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Interim City Administrator/Police Chief Mark Kling stated as a follow up to Council Member Robertson's comments regarding complaints. Law Enforcement is an extremely regulated service in the City. The California Penal Code mandates that they have a procedure in place on how they process and handle complaints. Once a year they have to report to the Department of Justice how many complaints the Police Department takes so it's very transparent. Then it comes out in a nationwide study.

ADJOURNMENT

Motion by Council Member Palmer, second by Council Member Robertson and carried by a 3-0 vote to adjourn the City Council Meeting. Mayor Vargas and Mayor Pro Tem Scott were absent.


The City Council adjourned at 8:00 p.m.

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COUNCIL MEMBER JOE BACA JR.

ATTEST:



CITY CLERK BARBARA A. McGEE